

ORIGINAL
D.F.
Cm

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK

NATIONAL LABOR RELATIONS BOARD)

Petitioner,)

MISC. 05-0229 (FB)

v. Case 1:05-mc-00229-FB)

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GALA BUS LINES, LTD. and SAFETYLINE
TRANSIT, INC., alter egos)

Respondents.)

CIVIL CONTEMPT ADJUDICATION

Upon motion of the National Labor Relations board ("Board") and based on the failure and refusal of Gala Bus Lines, Ltd. and Safetyline Transit, Inc. ("Respondents") to comply with the Board's subpoenas as ordered by this Court on October 18, 2005, and there being good cause,

IT IS HEREBY ORDERED that Respondents are in civil contempt of court for failing and refusing to comply with the Board's subpoenas as ordered by this Court on October 18, 2005.

IT IS FURTHER ORDERED that Respondents, their officers, agents, successors and assigns, shall purge themselves of contempt in the manner set forth below:

1. Within five (5) days of the date of this contempt adjudication, Gala Bus Lines, Ltd. and Safetyline Transit, Inc. shall comply with subpoenas No. B-464039 and B-464040 by providing the documents requested by the Board in the subpoenas. The documents shall be delivered in person or by overnight mail to the Board's offices in Brooklyn, NY (1

MetroTech Center-North 10th Floor, Brooklyn, NY 11201, Attn: Kathy Drew King) on or before the due date.

2. Gala Bus Lines, Ltd. and Safetyline Transit, Inc. shall reimburse the Board for its costs and reasonable attorneys' fees incurred by the Board in initiating and prosecuting this contempt action. If the parties cannot agree on this amount, the Board may submit its costs and reasonable attorneys fees to this court for approval.

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3. Within ten (10) days after entry of this contempt adjudication, Respondents shall file sworn statements with the Clerk of the Court and provide copies to the Board's office at the address set forth in paragraph (1), by overnight mail, showing what steps they have taken to comply with the Court's directives;

In order to assure compliance with this contempt adjudication and the October 18, 2005, Order, **IT IS FURTHER ORDERED** that prospective fines are imposed against Gala Bus Lines, Ltd. and Safetyline Transit, Inc. up to \$10,000 for each and every violation of this contempt adjudication or further violation of the Court's October 18, 2005 order, and a further fine of up to \$2,000 per day is imposed for each day the Court finds that such violations have continued. The Court reserves the right, upon further motion of the Board, to impose such additional measures as may be deemed necessary to ensure compliance with the Court's orders, including the issuance of writs of body attachments against Gala Bus Lines, Inc., Safetyline Transit, Inc., their officers, agents, successors and assigns.

Dated:

January 19, 2006
Brooklyn, N.Y.

USDT